THE COURTS.

PHILIP J. DWYER DEFEATED. THE GENERAL TERM SUSTAINS THE LOWER COURT'S DECISION IN THE GIDEON SLANDER SUIT.

The General Term of the Supreme Court, Justices Van Brunt, O'Brien and Foliett, in an opinion written by Justice O'Brien, yesterday afternoon gave a decision sustaining the complaint in th action brought by David Gideon against Philip J. Dwyer to recover \$50,000 damages for slander. This opinion affirms the judgment of Justice Barrett, who overruled the demurrer which had been interposed by Dwyer upon the ground that the complaint did not state facts sufficient to constitute a cause of action, holding that there was a cause of action for the words complained of. The cause of action arose from words that were spoken on of action arose from words that were spoken of June 30, 1894, at the racecourse at Sheepshead Bay during a dispute between the two men concerning the merits of the horse Banquet, owned by Michael F. Dwyer, and Ramapo, owned by Gideon & Daiy. The horses had run a dead heat that day, and it was as serted that Ramapo had been fouled and struck dur-

They were engaged in a heated discussion as to the merits of the horses, when Dwyer declared to Gideon: "You are no sportsman. You had to leave Nashville on account of a turf fraud you committed there. President Cark, of the Louisville Jockey Club, wanted to rule you off for your crookel practhere, and warned you off the turf there, and

you had to leave town. Dwyer demurred to the complaint upon the ground that the complaint did not state facts sufficient to constitute a cause of action, alleging that the words themselves were not actionable, and therefore Gildeon could not recover without proof of special damage, which was not alleged. The question was taken up on appeal. The Appellate Court says that the question before the Court is whether the words complained of are actionable per se.

Justice O'lirien wrote the opinion affirming the action of Justice Barrett overruling the demurrer, and it is concerred in by Presiding Justice Van

and it is concerted in by Presiding Justice Van Brunt. Justice Folieit wrote a dissenting opinion, holding that the judgment should be reversed, the demufrer sustained and a final judgment entered dismissing compaint. The majority of the Court hold that a good cause of action is stated in the complaint, and the judgment overruing the demurrer should be affirmed, with costs, with leave to Dwyer to answer the complaint within twenty days on payment of costs.

Several cases are cited by Justice O'Brien to the effect that unless a defendant shows a lawful excuse the plaintiff is entitled to recover, without allegation or proof of special damage, because both the faisity of the words and resulting damage are presumed, and then continues:

"The defendant does not contend against these elementary principles of the law of slander, but claims that the words themselves clearly show that they were spoken of the plaintiff, not as a business man, but as a sportsman or patron of the turf, and therefore are not in themselves actionable. We cannot, however, agree with the defendant in this contention. The defamatory words were not confined to the plaintiff's character as a sportsman. They also charged him with the commission of turf frauds."

A SUIT DISMISSED FOR FRAUD. OLD RECORDS UNEARTHED IN AN ACTION PROUGHT AGAINST THE CITY.

Andrews in the Supreme Court yesterday dismissed the suit brought against the city by Theodore Timpson and Frank Phelps, as executors f Mary B. Chamberlain, to recover \$200,000 damages and 100 feet of bulkhead along the river at Beach-st. The evidence in the case consisted mainly of old records running back as far as 1802, when the city deeded to John D. Murray and William Ogden a lot under water at Beach and West sts. Later Murray conveyed it to another Murray, including in the deed the 100 feet of West-st. property as well as the bulkhead. This last conveyance was not recorded until 1839, when at the same time the last Murray reconveyed the property to the Mechanics' Bank. The latter, through its president, Sheppard Knapp, conveyed the property to Gideon Lee, who was at the time Mayor of the to Gleen Lee, who were business partners, and Lee retransferred half of the property back to Knapp, when in the course of time it came to William L. Chamberlain. In 1880 the Dock Department seized the property as belonging to the city, and widened West-st. It was on this seizure city, and widened West-st. It was on this seizure that the suit was brought. Charles Blandy, who had been especially retained by the city to try the case, said that there had been a clear attempt on the part of the Murrays to defraud the city, and that the action of Knapp in transferring the property to his partner, Lee, who was also the Mayor of the city and well knew the value of the property, was also a fraud. Justice Andrews said that the transactions, running through the source of title, emanated in a fraudulent purpose to give apparent color to title.

HEARING IN THE TATTERSALL-EASTON

The hearing in the suit of the Tattersall Com pany of New-York (Limited) against William ston, its manager, was resumed before Rastus Ransom, as referee, at the office of the latter, No. 169 Broadway, yesterday. Samuel Harris, the assistant treasurer of the New-York firm of Tat-tersalls, was recalled to the stand and questioned is to the check for \$2,121 which Mr. Easton drew o pay off a personal note. He was also asked Mr. Easton to Miss Frizell, daughter of Captain Frizell, of Charlotteville, Va. He explained that Miss Frizell, who was visiting in this city, was short of money. There was a business dealing between Captain Frizell and Mr. Easton, and there was a balance claimed by the former. Mr. Easton paid Miss Frizell 375 in cash in April, 186. "Mr. Easton." said Harris, "was a regular customer of the firm, and had a debit and credit account." The New-York firm always sent a monthly balance sheet to the Board of Directors in England, and Mr. Easton's account was shown in this balance sheet. The accountants who examined the books were Ellerman & Co., of London.

An adjournment was taken until Monday morning at 19 o'clock.

frs. Hetty Green has begun another action in

her fight with Henry A. Barling, executor of the estate of her father, Henry Mott Robinson. Her etition with the clerk of the Surrogate asking that sarling be removed from the executorship unless ne give bonds and security. Surrogate Arnold has ssued a citation to Mr. Barling, returnable May issued a citation to Mr. Barling, returnable May 23, ordering the executor to show cause why he should not be removed. The petition recites the same grounds as those mentioned in the suit contesting the accounts before the referee.

For some time Mrs. Green has said that she was tired of this reference, which has now lasted over six years, and he: attorneys have taken this step to bring the matter in the Surrogate's Court with Mrs. Green as the plaintiff. In the reference Mr. Barling is the plaintiff to compel Mrs. Green to accept his account.

The hearing in the reference case was continued yesterday in H. Anderson's office, in the Mills Building, and will go on next Thursday in the same place.

Albany, May 17 .- The Court of Appeals will reconvene here on Monday. The motion calendar for that day is Nos. 929, 251, 960, 962, 963, 364, 965, 957 and 969.

Supreme Court-Chambers-Before Barrett, J.-Court opens at 10:30 a. m. Motions.
Circuit Court-Part III.-Before Barrett, J.-Saturday calendar called at 10:30 a. m. Superior Court-Special Term-Before McAdam, J.-Court opens at 10 a. m. Motions.
Surrogate's Court-Chambers-Before Arnold, S.-Estate of Mary A. O'Brien, at 10:30 a. m. Wills for probate: Henry Poissonier, Sarah E. Storms, Ansley Scarlet, Margaret J. Ennis at 10:30 a. m.
Common Pleus-Special Term-Before Daly, C. J.-Court opens at 10:30 a. m. Motions.
City Court-Special Term-Before McCarthy, J.-Court opens at 10 s. m. Motions.

REFEREES APPOINTED.

Supreme Court.
Before Barrett, J.
tter of Stuyvesant Safe Deposit Company—Willian

By McAdam, J.

Spencer-Needham Co.-Joseph Kohler, vs. Schuster-Henry W. Sackett. Clifford (No. 1)-Quincy W. Bosse, Clifford (No. 2)-Wauhope Lynn.

RECEIVER APPOINTED. Superior Court.

By McAdam, J.

pencer-Needham Co.—H. H. Ritterbush.

THE JAMMES MAY HAVE THEIR SHOP When Mr. and Mrs. Alfred Jammes some time enth-st., and started a dressmaking establish-it, Miss Harriett Clark, a neighbor, got an infrom Justice Beach in the Supreme Court ain them from thus using the building, ing that under an agreement made in 1846 the lers in that neighborhood covenanted that the lags there should never be used for anything acter of a private dwelling does not seem to vio-late the restrictions.

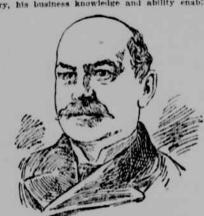
JUSTICE MAYHAM'S AGE.

Albany, May 17 .- Justice Mayham, of the Supreme Court, from Schoharie County, through his counsel, Edwin Countryman, of this city, to-day filed with the Secretary of State an order from Justice Landon, of the Supreme Court, to correct two certificates regarding his age, which were filed with the Secretary of State in connection with his appointment and election as Supreme Court Judge. The amended certificate states that he was sixty-one years old in October, 1837, and not sixty-two years, as stated in the original certificate. This will make his term expire on December 31, 1896, by reason of his attaining the age of seventy years, instead of December 31, 1895. the Secretary of State an order from Justice Lan-

OBITUARY.

COLONEL LOCKE W. WINCHESTER. Colonel Locke W. Winchester, vice-president of the National Express Company, died suddenly of heart failure at his home, Fourth-ave, and Twentysixth-st., yesterday afternoon, having been confined to the house three days by what was considered an unimportant attack of rheumatism. He leaves

a widow, but no children. Mrs. Winchester was Miss Eliza S. Lewis before her marriage. As a boy of eighteen Colonel Winchester entered the employ of Mr. Harnden, who established one of the earliest express systems. Afterward he be-came associated with the National Company. He became a member of the 7th Regiment before the beginning of the war in 1861. He went to the front with his companions with the first call to arms He became the quartermaster and acting commissary, his business knowledge and ability enabling



COLONEL LOCKE W. WINCHESTER.

him to accomplish a great deal for the comfort and health of his men. He was quickly promoted to be commissary, and remained in that place until 1863, when he was obliged to retire in order to give

As well as being the vice-president, treasurer and one of the directors of the National Express Company, he was a former president of the Veterans Club of the 7th Regiment, colonel of the Uniformed Battalion of the 7th Regiment Veteran Association, vice-president of the Union League Club and a member of Lafayette Post, of the Grand Army of the Republic. He was several times president of the 7th Regiment Veterans' Club, retiring three years ago. His sociability, popularity and business ability made him a particularly fit chief officer of this organization. He held the position from the time of the formation of the club in 1889 till he

time of the formation of the club in 1889 till he decided to give it up.

In politics Colonel Winchester was a strong Republican and a most active member of the Union League. He was one of the founders of the Restigouche Salmon Club, and president of it for three years. He was extremely fond of fishing and shooting.

Arrangements for the funeral have not yet been definitely settled, but it is most likely that it will be held at Trimity Church on Monday or on Tuesday.

PETER K. KNAPP. Peter K. Knapp, one of the best-known and wealthiest citizens of lower Rockland County, died at his home in Sparkill last night from pneumonia. He was in his seventieth year. Mr. Knapp was a son of the late Sheppard Knapp, of New-York City. He was born here, and for years was engaged in the drygoods trade and also the leather business. He went to Rockland County in 1860 and had not been engaged in any business since, living on handsome place in Sparkill. He owned a large amount of property in that county and also had property of value in this city. His wife survives him, with three sons and three daughters. George A. Knapp, of Tappan; Alfred Knapp, of Piermont; Theodore Knapp, of Sparkill; Mrs. A. X. Fallon, Mrs. Charles Stradley and Miss Laura Knapp. The funeral will be held at his home on Monday at 11:30 a. m.

THE DUKE OF HAMILTON.

London, May 17.-The Duke of Hamilton died in

ton, twelfth Duke of Hamilton and Brandon and premier peer of Scotland, was born in 186, and succeeded to the title in 1863. The family of which he was the representative is one of the oldest and most distinguished in Great Britain, tracing its line back to the days of William the Lion and the times when Robert Bruce and Balliol strove for the crown of Scotland. It played a prominent part in the history of Scotland for nearly 600 years. Its members were always loyal adherents of the house of Stuart; were among the stanchest supporters of Mary Queen of Scots, in her unfortunate and troubled career, and were strong opponents of the union with England in 1701. The late Duke was a poor representative of this noble line, and was gance and dissipation. In 1882 he attracted much attention and unfavorable comment by putting up for sale the great historic collection-one of the most famous in England-of pictures, bronzes, gems, antiques, china and other valuable objects belong ing in Hamilton Palace, in Lanarkshire, near Glass

gow. The china and furniture alone are said to have brought \$125,690. Hamilton Palace itself is a place of historic interest, standing on the old ducal estate of Cadzow, granted by Bruce in 1216 to Walter de Hamilton, and celebrated by Scott. The present structure dates from 1822. The other seats of the family are Easton Park, Kinniel, in Linithgowshire, and Brodick Castle, on the Isle of Arran, in the Frith of Clyde.

The late Duke's mother was Princess Marie Amelia Elizabeth Caroline, daughter of the Grandduke of Baden and cousin of Napoleon III, and from that potentate he received the title of Duke of Chatelherault in 1864, being the revival of a title granted by Henry II of France to one of his ancestors, who was sent to France as Ambassador to sue for an alliance with the Dauphin with Mary Queen of Scots, and who subsequently surrendered it to the French monarch. One of the titles of the Duke of Hamilton, The twelfth Duke was also Earl of Schrink, having succeeded to that title in 1885 on the death of his kinsman the sixth Earl. The Duke of Hamilton. The twelfth Duke was also Earl of Schrink, having succeeded to that title in 1885 on the death of his kinsman the sixth Earl. The Duke of Hamilton had a seat in the House of Lords by virtue of his titles in the English peerage of Duke of Handon and Baron Duiton. He was married in 1873 to Lady Mary Louise Elizabeth Montagu, daughter of the Duke of Manchester. His only child living is a daughter, and the heir to the dukedom is Alfred Douglas, formerly a lieutenant in the Navy, who was born in 1892. The late Duke's sister, Lady Mary Victoria, was married to the reigning Prince of Monaco in 1869, but was divorced and is now the wife of Count Tassilo Festelics, of Hungary.

He was well known on the turf and owned many receboress one of which The Nipper, recently de-

Inngary.

He was well known on the turf and owned many acchorace, one of which, The Nipper, recently deated M. F. Dwyer's Stonenell at Newmarket, the entries of his horses will be cancelled by his

OBITUARY NOTES.

Newburg, N. Y., May 17 (Special).-James F. Tole for sixteen years foreman of the composing-rooms of "The Register," died this morning. He was a brother of the Rev. William H. Tole, rector of the Church of St. John the Evangelist, of White Plains, and of George V. Tole, of the American Express Company, New-York, Mr. Tole was a member of the Rev. Dr. McGlynn's church, and that clergyman was with him at the last. He leaves a widow and one child.

Wheeling, W. Va., May 17.-Adam Wilson Kelley, one of the most prominent capitalists in this section and largely interested in iron and other industried, died here this morning, aged eighty-one

Phelps, N. Y., May 17.-Frederick Cleveland, a distant relative of the President, died to-day, aged seventy-three.

Augusta, Me., May 17.-Hail C. Burleigh died this morning at his home in Vassalboro, aged sixty-nine years. The last Legislature re-elected Mr. Burleigh State Assessor for a term of six years. He was one of the most extensive breeders of blood cattle in New-England. In the world's competition at the Centennial his stock won five first prizes, including the first on herds. He represented Vassalboro in the Legislature in 1839, and served as president of the Maine World's Fair Commission.

Entirely Adequate.—"Does His Celestial Majesty want something written about the settlement of the war with Japan?" asked the Chinese poet laureste.
"No," said Li Hung Chang, thoughtfully. "I'm sorry to cut you out of a job, but I wouldn't suggest it. The stubs in the royal checkbook will answer all historic purposes."

HOME NEWS.

The United Press Local News, which represents all the newspapers in New-York City that are receiving the telegraphic news of the United Press, has its headquarters at graphic news of the York City. All information and docu-ments for public use may be sent to those headquarters and they will then be distributed to all the United Press newsrs in this city, and to the United Press for dissemina-

PROMINENT ARRIVALS AT THE HOTELS. FIFTH AVENUE-Bishop John S. Foley, of GILSEY-Quartermaster-General C. Wiley, of Governor Morton's staff, and William A. Pinkerton, of Chicago, HOFFMAN-Baron A. Pinkerion, of Cuicago. HOFFMAN-Baron Winckler, German Minister to Mexico. HOL-LAND-Henry C. Frick, of Pittsburg, and Charles H. Aldrich, of Chicago. METROPOLE-State Senator Henry J. Coggeshall. MARLBOROUGH-Perry S. Heath, of Cincinnati. MURRAY HILL-Professor William G. Sumner, of Yale University, and Theodore Thomas. NORMANDIE—Assemblyman John B. Stanchfield, of Elmira, WALDORF—Sir Weetman Pearson, of London; John A. Logan, jr., of Youngstown, Ohio, and Miss Clara Barton, of Washington, WINDSOR—Victor F. Lawson and R. R. Cable, of Chicago.

WHAT IS GOING ON TO-DAY.

Brooklyn Jockey Club races, Gravesend, 2:30 p. m. Annual parade of Tandem Club, start from Plaza Assembly Committee on Sweatshops, City Hall.

Trotting races at Parkway, 2 p. n Performance for benefit of St. Mary's Hospital, Eden Musée, afternoon and evening. B'nai B'rith Clubhouse warming, No. 141 East Sixtleth-st., 8 p. m.

Bakers' celebration, Webster Hall, evening. Coaching Club annual outing trip to Tuxedo. Exhibition of posters, Young Men's Christian As-

Music in Central Park by 7th Regiment Pand, 4 Princeton-Columbia games, Columbia Oval, 3 p. m.

NEW-YORK CITY.

P. J. Hill, the demented young man who escaped from a keeper at the Grand Union Hotel Wednesday afternoon, was found wandering around and acting insanely at Gramercy Park and Twentyfirst-st, yesterday, and was taken to Bellevue Hospital. He will be turned over to the keeper, Ralsch, and taken to the sanitarium on Long Island to which he was on His way when he evaded his

keeper. Examinations for admission to the freshman, sophomore and junior classes of all departments of Princeton University will be held on June 13 and 14 in the lecture-room of the New-York Law and 14 in the lecture-room of the Equitable Build-ling. A prize of 100 will be given by the Princeton Club of New-York to the applicant who, at such time and place, shall pass the best full entrance examination to the academic freshman class.

The 158th large flower distribution of the Moderation Society will take place to-day at Paradise and surrounding slums. A large and beau tiful lot of flowers from various givers is expected. Last Saturday 5,000 violets and several cases of wild flowers from Great Barrington, Mass., were dis-

and business classes of the Young Women's Christian Association will be held on Monday evening at No. 7 East Fifteenth-st. The Rev. Dr. Henry

K. Olcott will be given on Monday evening by the Republicans of the Second Election District of the The trustees of the Normal College will meet at

p. m. on Tuesday in the hall of the Hoard of Edcation. Half an hour later the trustees of the College of the City of New-York will also have a

American ensign presented to it on May o by the 2d Battery, Colonel D. W. C. Ward will make the

Mrs. Edna Wenholm, accused of kidnapping notes three-year-old Agnes Keafney, daughter of Mrs. Kearney, the wife of a waiter at the Plaza Hotel, from the child's home. No. 1,154 Third-ave., was arraigned for examination yesterday in Yorkville mon to the George C. Strong Post of the G. A. R. In the Central Presbyterian Church, Tompkins and the

Bessie Fairbanks, who in January last shot Isaac Cochran, the real-estate dealer.

The Aldermen's Committee on Lands, Places and

Park Department yesterday approved the resolu-tion referred to it asking the committee's co-opera-tion with the Association for the Improvement of the Condition of the Poor in the work of allowing the poor to till and raise potatoes on vacant lots. The approval of the resolution will result in the turning over to the destitute additional land which A woman-suffrage mass-meeting will be held in

Amity Hall, No. 312 West Fifty-fourth-st., on Monday evening. Mrs. Annie L. Diggs, of Kansas, will speak, and Mrs. Lillie Devereux Blake will preside.

Sunday Amusements, etc." a sequel to last Sun-day evening's sermon on "The Christian View of morrow evening at St. James's Lutheran Church, Madison-ave. and Seventy-third-st,

The Dock Board held a special meeting yesterday,

and again took up the question of finding a suitable place for the mooring of small craft. A petiwhich could be used for mooring small craft. They asked the Board to find a place between Laight-st, and the Battery to meet their require Monks and Chief Engineer Green.

Collector Thomas J. Hallowell reported that the

schoolship St. Mary's owed the Board \$600 for wharfage. This was referred to the Corporation Vernon H. Brown, of the Cunard Line, with his

Vernon H. Brown, of the Cunard Line, with his counsel, Mr. Lord, of Lord, Day & Lord, appeared before the Board and asked for an extension of time for the possession of the platform extending from the bulkhead next to their pier, No. 35, North River. The Supreme Court lately decided against the Cunard Line in their fight with the Pock Board on this subject, and the Board yesterday ordered that the line give up the possession of the platform at once, despite Mr. Brown's plea that he did not know of any sign having been posted up on the platform, warning all craft to keep away from it.

A Cuban, six feet tall and wearing luxuriant side-Gallego, a West Indian widow, living at No. 68 West Forty-third-st. Clark, who is thirty-five years old and who says he is James B. Lee, an ordained Baptist clergyman and medical graduate, has lived at No. 132 West Thirty-second-st. He is alleged to have secured \$75 in cash and a gold watch, valued at \$25, from Mrs. Gallego, by falsely representing to her that she was a legatee of a wealthy Barbadoes planter, named John Simon, in the sum of \$8,000, with a prospect of much more by judicious management. Having parted with her money, procured at great personal sacrifice, and falling to realize the bequest or any part of it, Mrs. Gallego became suspicious, told the police and caused Clark's arrest. The latter admitted his guilt, but declined to give any history of himself further than that he was an ordained clerkyman and a physician. He waived examination in court and was committed by Police Justice Ryan in \$1,000 bail to answer.

This same defendant is wanted in Keyport, N. J., by the police of Monmouth County, for obtaining \$100 by methods similar to the above from one William H. Harris, of Keyport. has lived at No. 132 West Thirty-second-st. He is

More Information.-Tommy-Paw, what is an egotist?
Mr. Figg.—He is a man who thinks he is smarter than any one else.
Mrs. Figg.—My dear, you have that wrong. The egotist is the man who says he is smarter than any one else. All men think that way.—(Indianapolis Journal.) Highest of all in Leavening Power.- Latest U.S. Gov't Report



AFFAIRS IN BROOKLYN.

CITY TREASURER THREATENS TO RESIGN. HE IS DISSATISFIED WITH A RULING OF THE CIVIL SERVICE COMMISSION WHICH AFFECTS ONE OF HIS CLERKS.

Because of dissatisfaction with a recent decision by the Civil Service Commission in declaring the appointment of William J. Neshitt illegal, John D. Kelley, City Treasurer of Brooklyn, wrote Mayor Schleren a letter yesterday, practically threatening to resign his office unless he is left unhampered by the Commission. Mr. Nesbitt is a close personal and trusted friend of the treasurer, and has the handling of large sums of money, for which the treasurer is responsible, and it is said that Mr. Kelley has told the Mayor that unless he can have the kind of men he wants as assistants he will resign. It may be remembered that the Commission held that all appointments in schedule A, made

held that all appointments in schedule A, made since January 1, 1855, except the depaties and secretaries of heads of departments, were irregular, hearies of heads of departments, were irregular, hearies they were not taken from eligible lists. Mr. Nesisti was appointed since January 1, or soon after his removal from the Controller's office, where he held a place for a number of years.

Mr. Kelley is under bonds to the amount of \$150,000. His force consists of a deputy, David Phenix, and two clerks, Paul Jenks and William J. Neshitt, and two clerks, Paul Jenks and William J. Neshitt, and two clerks, Paul Jenks and William J. Neshitt, and two clerks, Paul Jenks and the select for himself the near who serve immediately under him. The Mayor was out of town yesterday, and Mr. Kieley's letter was not made public.

GATHERED ABOUT THE TOWN.

Affred T. White, Commissioner of City Works. has written Mayor Schieren a letter, objecting to the bill to divide the begartment of City Works. Originally the bill provided that the change take effect on January 1 next, but Assemblyman Read changed the time to July 1, and Mr. White says that the Department's affairs will be seriously complicated by the later date, as it is the busical time

of the year for the Department. Mayor Schleren yesterday returned to Governor Morton without his approval the bill to increase the pay of certain grades of policemen, bridge-keepers and doormen. The chief objection is that the city cannot afford the expense.

In the Court of Sessions yesterday seven ments were handed in against John Ancello, a leader of the Italian riot in the Eastern District on April 21. Two of the indictments charge murder in the first degree. Ancello pleaded not guilty.

William O'Reilly yesterday began a suit in the apreme Court for 150,000 damages for alleged nder against George H. Gaston, the secretary of the Metropolitan Lafe Insurance Company, of New-York. The complaint alleges that the defendant at various times had said that O'Rellly usefulness."

Judge Smith, of the Supreme Court, yesterday granted a peremptory writ of mandamus, compelling the Board of Supervisors of Kings County to audit an order for the paymen, of \$24.00 to semblyman Judson Lawson and Alderman W. M. John H. O'Rourke for extra work done for the

Justice Walsh yesterday dismissed a dispossess XXIII4 Assembly District at their headquarters, No. 314 Columbus ave. feet of ground at Twentieth st., on the water-front, Kelly alleges that Frank D. Beard, representing the estate, promised to extend his lease five years, but in some manner the property was leased to the Hilton Dodge Lumber Company and Kelly was told to vacate. Kelly will try to hold on. The General Term of the Supreme Court adjourned yesterday, with the understanding that argument on the appeal of the Nassau Electric

day. The decision appealed from is Judge Smith's, declaring the franchises of the road void, Elihu Willoughby aves, to morrow evening at 7:30. In connection with the service, the post will present Regiment will be held on Tuesday evening in an American flag to the Sunday school, which will be received in an address by the superintendent.

Railroad Company will be heard before it on Mon-

Recorder Goff, in Part 1 of the Court of General Recorder Goff, in Part 1 of the Court of the present life, occupations and customs of the and Dr. J. E. Kelly to examine into the samity of Hessie Pairbanks, who in January last shot Isaac facilities offered by the Great Western Railway of Cochran, the real-estate dealer.

The Aldermen's Committee on Lands, Places and Park Department yesterday approved the resolu-

The sale of some first editions of American authors from the library of Charles A. Montgomery, the rooms of Bangs & Co., Nos. 739 and 741 Broad-way. A considerable number of buyers were present. The first work offered by the auctioneer was a volume of "The Bigelow Papers," James Russell Lowell (Cambridge, 1819). It was finally sold for \$1750. "A Fable for Critics," by the same author, original boards (New York, 1848), brought \$8.50. A copy of the second series of "The Buselow Papers" found a purchaser at \$7.50. "Reveries of a Bachelor; or, A Book of the Heart," by D. G. Mitchell (New-Andrew Johnson, with a Blographical Introduction," by Frank Moore, was knocked down for twenty-five cents. "The Conchologist's Pirst Book," by Edgar Allan Poe (Philadelphia, 1839, sold for \$8. "The Book of My Lady. A Melange. By a Bachelor Knight," William Gelmore Simms (Philadelphia, 1833), started at twenty-five cents and was finally sold for \$7.90. "Poems, Lyrical and Idyllic," Education of the control sold for \$7.60. "Poems, Lyrical and ldyllic," Edmund Clarance Stedman (New-York, 1899, sold for
\$6, and "The Battle of Bull Run," written by Mr.
Stedman when acting as a newspaper correspondent, brought \$1.75. Another volume offered at the
sale was "Foor Prints," by Richard Henry Stoddard, in the original wrapper (New-York, 1899. In
a personal letter of Mr. Stoddard's dated August
18, 1886, he says: "If you ever come across thut you
never will) my first little collection of verses—"Foot
Prints" you will have a care book, one of the
rarest in America, but not so rare as it ought to
be. It sold to the extent of one copy, and I burnt
the edition." It appears, however, that there were
three copies sent out for editorial review, and that
the one offered yesterday was one of them. The auctioneer demanded \$109 as the opening bid, and as
he did not get it the book was withdrawn.

Mayor Strong has certified to the Secretary of pay of the Park police force from \$1,100 to \$1,290 a year. Adverse action on any bill by the Mayor, now that the Legislature has adjourned, effectually kills it. State his non-acceptance of the bill to increase the

The exercises at the opening of the Macy Manual

Art Building of the Teachers' College, One-hundred-and-twentieth-st, and Morningside Heights, contin-ued yesterday with an exhibition of the classes at work in all the departments of the building. In the basement is the department of elementary metal work, including the foundry and forge room, in which fifty boys ranging in age from nine to fifteen years were at work hammering and moulding metal into horseshoes, nails, hinges, pois, kettles and ornamental forms. In the wood-carving room there were several articles made by the pupils this year. In the museum on the fourth floor was a model of the Alhambra, presented by Josiah Macy, Ir., and several volumes of bas-reliefs from the Vattean and other galleries. The exhibitions by the pupils closed at 2 o'clock, but the building was open the remainder of the afternoon, and in the evening from 739 o'clock to 10. This morning there will be formal exercises, at which President Hervey will deliver an address of welcome. At noon refreshments will be served by the Brooks Alumnae Association, the proceeds of which will be given to the Bryson Kindergarten of the New-York Kindergarten Association. There will be a meeting at 2 o'clock p. m., at which Professor Bennett, of the Teachers' College, will deliver an address, and Dr. M. P. E. Grossman, superintendent of the Workingman's School in New-York City, will speak on "Should Boys and Giris Be Given the Same Kind of Work in Manual Training?" There will also be an exhibition, open all day, of pupils' work. GHOSTS IN THE BOWERY.

POLICEMAN KEYES'S STORY OF A VANISHING BURGLAR

The description of a vanishing burglar is given by Policeman Timothy Keyes, of the Fifth-st. station, who alone saw him. Keyes has a night post in the Bowery between Houston and Fifth-st., and has the reputation of being an intelligent officer. He was on post last night, apparently in capital condition, when suddenly his whistle sounded from the front of Steinhardt Brothers' wholesale liquor store, at No. 315. In a moment policemen sprang from every quarter, and in the wake of the policemen gathered a crowd. According to Keyes, his attention had been attracted to the window by a large sheet of wrapping paper, concealing the front of the safe and moving about as though agitated by the wind.

He felt to see if the window had been broken, but it was sound, and at that moment the burgiar, look-ing up from the safe, saw him, started up and ran to the rear of the store. From the description of the burglar furnished by Keyes it was learned that he was about seven years old, had brown eyes, untidy bair and a pale complexion. He were short dark trousers, a striped shirt and a small round

The store was surrounded on all sides in a and then Keyes tried to enter. The door was securely locked. Henry Steinhardt, one of the members of the firm, at No. 312 West One-hundred-andbers of the firm, at No. 312 West One-hundred-and-fifteenth-st., was sent for, and appeared with the key about I o'clock. In the mean time, the police-men had smashed the lock of the cellar door with an axe, their proceedings being followed with inter-est by a crowd which stretched clear across the Bowery and blocked the cable cars. Not a sound could be heard, and, though the pure was lit up and every nock, cranny and empty barrel was searched, the search falled to bring the burgiar to light. The opening of the store next morning revealed nothing new. There were no visible marks on the

burgiar to light.

The opening of the store next morning revealed nothing new. There were no visible marks on the safe and no footmarks on the board floor. The salesmen say that Keyes dreamed of the burgiar, but at the Fifthest station it was said that he was an officer who had never been known to go to eleep on post. He was also of a sober disposition and was not addicted to ghosts.

EDWARD J. ATKINSON HONORED. Edward J. Atkinson, chief searcher in the County Clerk's Office, was honored with a reception by his associates in the County Clerk's Office yesterday, in

associates in the County Cierk's Office yesterday, in Room lo, in the County Court House. The occasion was the celebration of the election of Mr. Atkinson as Department Commander for the State of New-York, which took place on Wednesday. Mr. Atkinson's room was filled with flowers, and many prominent members of the G. A. R. were present to greet him. Major Henry M. Jennings read to Mr. Atkinson, a resolution mentioning the distinguished honor conferred upon him by his election to the office of Commander for the State of New-York of the G. A. R.

One-hundred-and-twenty-first-st., was in a far better condition yesterday than on Thursday. If the improvement continues he may be downtown to-day.

EX-MAYOR GILROY MUCH BETTER.

Ex-Mayor Gilroy, who has been ill for several

days with a sore throat, at his home, No. 7 West

MARINE INTELLIGENCE. MINIATURE ALMANAC. Sunrise 4:40 Sunset 7:13 Moon rises a m 1:46 Moon's age 23

HIGH WATER TO-DAY. A.M. Sandy Hock 2:18 Gov. Island 2:40 Hell Gate 4:33 P.M. Sandy Hock 2:55 Gov. Island 3:34 Hell Gate 5:27

INCOMING STEAMERS.

TU-DAY. May 11.....American
Cunard
May 11.....French Trans
ar, May 4......Anchors SUNDAY, MAY 19. Havre, May 4....... Lendon, May 9......

OUTGOING STEAMERS.

TO-DAY.

Vessel, For. Line.

TO-DAY.

Mails close, Vessel sails,
La Touraine, Havre, French Trans.

Too am 10,000 am
Werra, Genoa, N. G. Loyd.

Soo am 11,000 am 11,000 am
Locasia, Liverpool, Cunard.

By 900 am 12,000 m
Locasia, Liverpool, Cunard.

By 900 am 12,000 m
Silvia, Newfoundiand, Red Cross.

10,000 am 12,000 m
Silvia, Newfoundiand, Red Cross.

10,000 am 12,000 m
Silvia, Newfoundiand, Red Line.

10,300 am 12,000 m
Silvia, Newfoundiand, Red Line.

10,300 am 12,000 m
Paparindam, Rotterdam, Neth-Amer.

11,900 am 13,000 m
Muriet, Barroadese, Quebec.

12,000 m
Muriet, Barroadese, Quebec.

12,000 m
Muriet, Barroadese, Quebec.

12,000 m
Muriet, Dandon, National.

12,000 m
Palatia, Hamborg, Hamb-Amer.

12,000 m

MONDAY, MAY 20. TUESDAY, MAY 21.

SHIPPING NEWS.

PORT OF NEW-YORK, FRIDAY, MAY 17, 1895.

sand 3, with index, 24 catin and 372 steerage rassengers to Funch, Edys & Co. Arrived at the Bar at 2.45 a m. Steamer Normannia (Ger), Barends, Hamburg May 6 and Southampton 10, with index, 97 cabin and 170 steerage patiengers to the Hamburg-American Line. Arrived at the

and Southampton 10, with mose, 9, colbit and 110 sections canned grants of the Hamburg-American Line. Arrived at the Steamer Danial Gleri, Ladwig, Hamburg May 5, with reliable 22 cabin. Arrived at the Bar at 6:30 a.m. Steamer Wittekind (Geri, Cuppers, Bremen May 4, with miles and 1,231 steerage passengers to Ocirichs & Co. Arrived at the Bar at 6:30 a.m. Steamer Wittekind (Geri, Cuppers, Bremen May 4, with miles and 1,231 steerage passengers to Ocirichs & Co. Arrived at the Bar at 10:33 a.m. Steamer Christia (Geri, Cuppers, Bremen May 4, with miles and 13, barsengers, to Christia & Co. Arrived at the Bar at 5 a.m. Steamer Sparo (Nort, Lond, Haracoa five and a half days, with mides sparo (Nort, Lond, Haracoa five and a half days, with fruit to H. Dumbis & Co. Arrived at the Bar at 11 p. 11 156h. Steamer Alame, Lewis, Galveston May 11, with midse

Steamer Rio Grande, Barstow, Brunswick and Fernan-dina-C H Mallory & Co. Steamer Neptuno, Birkhan, Annatto Bay, Port Maria, etc.-J E Kerr & Co. Steamer Tarridon (Br), Norrill, Nuevitas and Gibara-W D Minsten.

Son.

Steamer Lucania (Br), McKay, Liverpool—H M Kersey, Steamer Seminole, Chichester, Charleston and Jackson-ville—W P Clyde & Co.

Steamer La Touraine (Fr), Santilli, Havre—A Porget, Steamer Werra (Ger), Poble, Genoa-Oelrichs & Co.

Steamer Muriel (Br), Scott, Barbadoes, Martinique and Dominica—A E Outerbridge & Co.

Steamer Taff (Br), Caarobert, Kingston and Belize, &c.—James Rantine. Stramer Taff (181), Cantol.

James Rankine.

Steamer Alleghany (Bi), Law, Kingston and Savanilla,

ste.—Pim, Forwood & Kellock.

Steamer El Sud, Higgins, New-Orleans—J T Van

Sickle.
Sicamer Naesberg (Ger), Robin, Bremen—Oelrichs & Co.
Steamer Spero (Nor), Lonn, Baracoa—H Dumels & Co.
Steamer Silvia (Br), Norcott, St. Johns, N F—Bowring & Archibald.
Steamer Wittekind (Ger), Suppers, Baltimore—Oelrichs Steamer Wittekind (Ger), Suppers, Baltimore—Oelrichs & Co.
Ship Colgate (Br), Jones, Portland, Ore—John R Livermore,
Ship Eurydice (Br), Talt, Rio Janeiro—J W Parker & Co.
Ship Bangalore (Br), Consider

SALLED.

Steamers El Sud, for New-Orleans; Rio Grande, Brunswick and Fernandina; Scminole, Charleston and Jackson-ville; Arlancorrach (Br), ISt Jago and Clenfuegos; Neptuno (Br), Annatto Bay, Port Maria, etc. Ship Forrest Hall (Br), for Ore, Bark Dawpool (Br), for Cork.



We miss trade that we value; you miss clothes that you would value if you knew 'em-just because you are so considerate!

Why not let us put a suit on you and alter it? Don't be afraid that it will not suit, and that we shall have our trouble for nothing.

You do not know, as we do, that we shall suit you nine times out of tenno; nine times out of ten we shall exceed your expectation, we shall almost always come up to it.

Parent-leather snows, 55.

Russet shoes, \$2.50 and \$4.
Underwear, 50 cents to \$2.50 per garment.

Neckties, 50 cents to \$3.50.

Derby, \$3; soft hat, \$2.75 and \$3.50. Money back if you want it.

ROGERS, PEET & CO.

The individuality of style which characterizes our \$30 and \$40 Business Suits, is a feature also of the cheaper grades (\$14, \$15, \$16, \$18 and \$20), and it is questionable if you will find in other stores this combination of correct style and low price. We should tell you to-day of a small

years, from which you can have your choice for \$4.50. Former prices \$7 to Nothing the matter with them; crippled lots, that's all.

lot of Vest Suits for boys from 10 to 16

Ladies' Shirt Waists, Smart Styles, \$1 to \$3.50, Ladies' Suitor Hats, Irreproachable Styles, \$2.50, Try a pair of our \$4 Shoes, French Liese Underwear, Special, \$1 per Suit. Our \$2 Silk Umbrella is noteworthy, Do you know our 50c. Neckwear?

BROADWAY, COR. 31ST ST. Pincumonia. Rheumatism. Neuraliria Bruises, Sp. Burna, Headache, Toothache, and Pains of all kindi ternally for Maisria and all Bowel Pains. RADWAY'S PILLS cure Constipation and Liver Disc

TWO THINGS WE HAVE. Suits for A, B, C, boys that meet the requirements of the most critical eye, the slenderest purse and the roughest usage.

And those who are almost too big to be called boys any more are delighted with our jaunty clothes. The actual cost does not figure at all-some of our suits are clear under it.

A. B. C Boys, \$4 to \$8. Bigger Boys, \$8 to \$15. Black and blue serge suits for boys' fathers, at 12 dollars—the best twelve dollars' worth w

ever gave. HACKETT, CARHART AND COMPANY.

Two Stores: Broadway and Canal St. Broadway below Chambers St. Open this evening.

NOTICE TO MARINERS.

NOTICE TO MARINERS.

Mobile Bay.

Notice is given that the experimental system of lighting the dredged channel in Mobile Bay, from the Lower Fleet to the city of Mobile, as described in Notice to Mariners to the city of Mobile, as described in Notice to Mariners No. 53 of 1895, will be maintained after May 15, 1895, until further notice, with the following modifications; on or about May 25, 1895, the gas-lighted buoy now marking the asset side of the lower end of the dredged channel will be west side of the lower end of the dredged channel will be west side of the lower end of the structures erected by the United States engineers on the east bank of the channel, and about 2 miles \$3-16W from the first structure. Outer end United States Quarantine Station Wharf, Mobile Point, 18-54, Mobile Point Lighthouse, 8-8-16-8, Sand Island Laghthouse, \$5-10 M. Notice of the same date the gas-lighted buoy now marking the States engineers on the E bank of the channel, and about one mile \$3-16W from the first structure. Outer end on mile \$3-16W from the first structure. Outer end one mile \$3-16W from the first structure. Outer end of the Mart, Mobile Point, \$31 by S. Mobile Foint Lighthouse, 8-8 W E7-10E. Sand Island Lighthouse, 8-8 W, Right tangent Fort Gaines, 8-W, W.

'm May 16, 18-55, a white light will be placed on the Lower Channel Beacon at mouth of channel, as shown on the Ensineer's cluster of piles next acuth of Upper Channel Beacon the same date the white light on Upper Channel Beacon will be moved to the U, S. Engineer's cluster of piles on the two red lights togethed to mark the W side of Chectaw Pass Channel was tended to mark the W side of Chectaw Pass Channel was tended to mark the W side of Chectaw Pass Channel was tended to mark the W side of Chectaw Pass Channel was tended to mark the W side of Chectaw Pass Channel was tended to mark the W side of Chectaw Pass Channel was tended to mark the W side of Chectaw Pass Channel was tended to mark the W side of Chectaw Pass Channel was tended to mark the W side of

THE MOVEMENTS OF STEAMERS. POREIGN PORTS.

Steamer Ontario (Br), Morgan, from New-York May arrived at London May 17.

Steamer Cervic (Br), Nicol, for New-York, sailed from Liverpool May 17.

Nicamer Furst Bismarck (Ger), Albers, from Hamburg for New-York, sailed from Southampton May 17.

New-York May 16.

Steamer Buffalo (Br), Wilson, sailed from Glasgow for New-York May 16.

Steamer Buffalo (Br), Malet, from New-York May 4.

Steamer Buffalo (Br), Malet, from New-York May 4.

Steamer Lackawanna (Br), Robinson, from New-York May 4.

Steamer Lubria (Br), Dutton, from New-York May 4.

Steamer Tubria (Br), Dutton, from New-York May 7.

Steamer Tubria (Br), Jones, from New-York May 7.

Steamer Tubria (Br), Jones, from New-York May 7.

Steamer Amsterdam (Dutch), Stenger, from Rotterdam for New-York, passed the Lizard May 17.

Steamer Stellia (Ger), Schmidt, from Hamburg April 27, via Stettin May 4. Christiansand 11, for New-York, passed Lewis Island May 13.

Steamer Paula (Ger), Kuhlmann, from New-York May 16, Steamer Paula (Ger), Kuhlmann, from New-York May 16.

Steamer Paula (Ger), Leithauser, from New-York May 16.

Steamer Hekla (Dan), Laub, from Stettin, sailed from Copenhagen for New-York May 17.

Meamer Washington (Ger), Dincklage, from New-York May 1, arrived at Nieuwe Waterweg May 15.

Steamer Washington (Ger), Dincklage, from New-York May 1, arrived at Rotterdam May 15.

Steamer Massdam (Dutch), Potjer, from New-York May 1, arrived at Rotterdam May 15.

Steamer Massdam (Dutch), Potjer, from New-York May 1, arrived at Rotterdam May 15.